

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38835 of 2026

Arising Out of PS. Case No.-29 Year-2026 Thana- MOUZAHDIPUR District- Bhagalpur

Sahil Kumar S/O Shri Ranjan Singh R/O Village- Kaithi, P.S- Kharagpur,
Distt.- Munger. At present residing in the house of Madhu Mai resident of
Sikandarpur, P.S- Mojahidpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016 as well as Sections 8(c), 21(b) and
22 of the NDPS Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 100 grams of brown sugar along with 1.875 litres of
liquor from a bag near the house of one Bodh Ram thrown by Samir
Anand.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted that
petitioner came to be implicated based on the confessional statement



of Samir Anand in police custody which does not have any evidentiary value in the eye of law. It is next submitted that similarly situated co-accused Aman Thakur @ Aman Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 31261 of 2026 and the same came to be allowed vide order dated 13.05.2026 by a learned Coordinate Bench of this Court. It is also submitted that a counter affidavit has been filed and from perusal of the counter affidavit, it would manifest that apart from confession, nothing transpired during the course of investigation connecting the petitioner with the offence. It is reiterated and submitted that petitioner is a person with clean antecedent. It is lastly submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but then fairly submits that apart from confession, no material transpired till date connecting the petitioner with the offence and is not able to rebut the submissions that similarly situated co-accused has been granted the privilege of anticipatory bail by a learned Coordinate Bench of this Court.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Mojahidpur P.S. Case No. 29 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. One of the bailors of the petitioner shall be his father, namely, Ranjan Singh.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be communicated to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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